



CITY OF UPLAND
"The City of Gracious Living"

MEETING OF THE CITY COUNCIL

Agenda

Bill Velto, Mayor

Carlos A. Garcia, Mayor Pro Tem - District 3

James Breitling, Councilmember - District 2

Shannan Maust, Councilmember - District 1

Rudy Zuniga, Councilmember - District 4

Michael Blay, City Manager

Stephen P. Deitsch, City Attorney

Keri Johnson, City Clerk

Monday, June 26, 2023

Open session begins at 7:00 p.m.

City Council Chamber

City Hall, 460 N. Euclid Avenue

Residents may observe the City Council meetings remotely via [livestream](#) on the City website, Spectrum Cable TV Channel 3, or Frontier Cable TV Channel 26.

- 1. CALL TO ORDER AND ROLL CALL**
- 2. ADDITIONS-DELETIONS TO AGENDA**
- 3. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

CLOSED SESSION BEGINS AT 6:00 p.m.

4. CLOSED SESSION

- a. LIABILITY CLAIM (WORKER'S COMPENSATION)**

California Government Code Section 54956.95

Claimant: Richard Madrid

Agency: City of Upland

- b. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

California Government Code Section 54956.8

Property: 531 E. 13th Street, located at the northwest corner of 13th Street and Campus Avenue (Assessor Parcel Number: 1045-392-43)

City Negotiators: City Manager Michael Blay, Development Services Director Robert Dalquest, and Housing Manager Diane Cotto

Negotiating Party: FPA Multifamily, LLC

Under Negotiation: Price and Terms

5. **INVOCATION**

Tia Faisal, Middle Ground Muslim Center

6. **PLEDGE OF ALLEGIANCE**

7. **PRESENTATIONS**

Proclamation declaring July as Parks Make Life Better Month, accepted by Recreation and Community Services Manager Jessica Gandara

8. **CITY ATTORNEY**

9. **ORAL COMMUNICATIONS**

This is a time for any citizen to comment on any item listed or not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

10. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent Calendar for separate action.

Recommended Action:

Approve the Consent Calendar

a. **APPROVAL OF MINUTES**

Recommended Action:

Approve the Regular Meeting Minutes of June 12, 2023. (Staff Person: Keri Johnson)

b. **2ND READING AND ADOPTION OF ORDINANCE NO. 1981 INCREASING THE CITY COUNCIL AND CITY TREASURER SALARIES**

Recommended Action:

Hold second reading by title only, waive further reading, and adopt Ordinance No. 1981 to increase salary compensation for members of the City Council and City Treasurer. (Staff Person: Stephen Parker)

c. **ANNUAL ADOPTION OF INVESTMENT POLICY**

CEQA: Not a Project

Recommended Action:

Adopt a Resolution approving and adopting the Annual Statement of Investment Policy for Fiscal Year 2023-2024. (Staff Person: Stephen Parker)

d. TREASURER'S REPORT MAY 2023

CEQA: Not a Project.

Recommended Action:

Receive and file the May 2023 Treasurer's Report. (Staff Person: Stephen Parker)

e. CONSIDER APPROVAL OF A RESOLUTION AMENDING THE REGIONAL SEWERAGE SUPPLEMENTAL CAPITAL OUTLAY FEE

CEQA: Not a Project.

Recommended Action:

Adopt a Resolution amending the Regional Supplemental Capital Outlay fee to reflect an increase in the Inland Empire Utilities Agency fee from \$7,600 to \$8,132 per equivalent dwelling unit (EDU). (Staff Person: Braden Yu)

f. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH J.G. BAUTISTA CONSULTING FOR ENGINEERING SERVICES

CEQA: Not a Project.

Recommended Action:

Approve a Professional Services Agreement with J.G. Bautista Consulting for engineering consultant services in an amount not to exceed \$75,000 annually for the next three fiscal years and authorize the City Manager to execute the agreement. (Staff Person: Braden Yu)

g. CONSIDER AWARD OF BID FOR THE STORM WATER TRASH CAPTURE SYSTEM INSTALLATION PROJECT (PROJECT NO. 9149)

CEQA: Determined to be categorically exempt from further environmental review pursuant to Section 15301 (c) (Existing Facilities), of the CEQA guidelines.

Recommended Action:

Approve the Specifications for the Storm Water Trash Capture System Installation Project (Project No. 9149); award the construction contract to United Storm Water, Inc. in the amount of \$38,201; and approve a construction contingency in the amount of \$11,799 for a total amount of \$50,000 and authorize the City Manager to execute the agreement, and any future amendment and extension within the City Manager's authority. (Staff Person: Braden Yu)

h. CONSIDER APPROVAL OF PARCEL MAP 20395 AND SUBDIVISION AGREEMENT, LOCATED AT 81 W. FOOTHILL BLVD

CEQA: This project is categorically exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15315.

Recommended Action:

Approve Parcel Map 20395 for recordation and authorize the City Manager to sign the subdivision agreement. (Staff Person: Braden Yu)

i. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR CITYWIDE PAVEMENT SURVEY AND MANAGEMENT PROGRAM

CEQA: Not a Project.

Recommended Action:

Award a professional services agreement with Transmap for pavement condition data collection and pavement management program update in the amount of \$118,644.35; approve a contingency in the amount of \$17,755.65, for a total amount of \$136,400.00; and authorize the City Manager to execute the agreement and any future amendments within the City Manager's authority. (Staff Person: Braden Yu)

- j. CONSIDER APPROVAL OF THE FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ECONOLITE SYSTEMS, INC. FOR TRAFFIC SIGNAL MAINTENANCE SERVICES

CEQA: Not a Project.

Recommended Action:

Approve an amendment to the professional services agreement with Econolite Systems Inc. providing for a one-year term renewal; and authorize the City Manager to execute the agreement. (Staff Person: Braden Yu)

- k. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT TO PREPARE THE ADA SELF EVALUATION AND TRANSITION PLAN

CEQA: Not a Project

Recommended Action:

Award a professional services agreement with Disability Access Consultants, LLC (DAC) for the data collection, analysis, and preparation of the ADA Self-Evaluation and Transition Plan in the amount of \$172,630; and authorize the City Manager to execute the agreement and any future amendments/extensions within the City Manager's authority. (Staff Person: Braden Yu)

- l. CONSIDER APPROVAL OF A CONSTRUCTION CONTRACT WITH LABASTIDA CONSTRUCTION TO REHABILITATE 663, UNIT 4, DIAMOND COURT

CEQA: Not a Project.

Recommended Action:

Approve a construction contract with Labastida Construction to rehabilitate a City-owned housing unit within the Magnolia Colony complex that was damaged in a fire, and authorize the City Manager to execute the Agreement. (Staff Person: Robert Dalquest)

- m. ANNUAL MILITARY EQUIPMENT REPORT PER ASSEMBLY BILL NO. 481

CEQA: Not a Project.

Recommended Action:

Review Ordinance No. 1960 and approve the Annual Military Equipment Report regarding the Police Department's possession of military equipment per Assembly Bill 481. (Staff Person: Marcelo Blanco)

11. PUBLIC HEARINGS

- a. CONSIDERATION OF A RESOLUTION APPROVING THE ASSESSMENT OF ADMINISTRATIVE FINES AND ESTABLISHING ASSESSMENT LIENS FOR UNPAID ADMINISTRATIVE FINES

CEQA: Not a Project

Recommended Action:

The City Council will conduct a public hearing to consider approving the assessment report, assessing administrative fines, and establishing special assessment liens against parcels of real property in the City of Upland relating to unpaid administrative penalties under Upland Municipal Code Section 1.10.090. (Staff Person: Marcelo Blanco)

1. Staff Presentation
2. Hold Public Hearing
3. Close Public Hearing
4. Adopt a Resolution approving the assessment report, assessing administrative fines, and establishing special assessment liens against parcels of real property in the City of Upland relating to unpaid administrative penalties under Section 1.10.090 of the Upland Municipal Code.

12. COUNCIL COMMITTEE REPORTS

- a. COUNCIL REPORTS ON REGIONAL COMMITTEE MEETING, TRAINING, OR CONFERENCE ATTENDANCE

Councilmembers will provide oral reports on any meetings, trainings, or conferences they attended on behalf of the City. This item is for information only.

13. BUSINESS ITEMS

- a. CONSIDERATION OF AN ORDINANCE AMENDING THE POWERS AND DUTIES OF THE CITY MANAGER IN THE UPLAND MUNICIPAL CODE

CEQA: Not a project.

Recommended Action:

Hold first reading by title only, waive further reading, and introduce an Ordinance amending the City Manager Powers and Duties section of the Upland Municipal Code. (Staff Person: Stephen Parker)

14. COUNCIL COMMUNICATIONS

15. CITY MANAGER

16. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, July 10, 2023.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, downstairs reference desk at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at www.uplandca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 909-931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

On June 21, 2023 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall) and the City

website at www.uplandca.gov